IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Writ Petition No. 1260 of 2004 (MB)

Sanjay Sah @ Rikhu,
S/o Sri Jawahar Lal Sah,
General Secretary of Udog Nagar Viyapar Mandal,
R/o Lalabazar, Almora,
Uttaranchal. ……. Petitioner

Versus

1. State of Uttaranchal,
   through Secretary, Information Technology.
2. Maha Lekhakar (Accountant General-Audit),
   Camp at Dehradun.
3. Managing Director,
   UP Hill Electronics Corporation Ltd.,
   252 Indra Nagar, Dehradun.
4. Alok Kumar-IAS, S/o Sri T.P. Singh,
   Presently posted as Additional Secretary,
   Information Technology as well as
   Managing Director,
   U.P. Hill Electronics Corportation Ltd.,
   252, Indra Nagar, Dehradun,
5. Vijay Saraswat,
   presently posted as Chairman,
   U.P. Hill Electronics Corporation Ltd.,
   252, Indra Nagar, Dehradun. …….. Respondents.

Mr. B.S. Adhikari Advocate for the petitioner.
Mr. U.P.S. Negi, Addl. Advocate General for respondent no.1.
None for respondent no.2.
Mr. V.K. Kohli, Senior Advocate with Mr. I.P. Kohli, Advocate for respondents 3 to 5.

JUDGMENT

Coram: Hon. Rajeev Gupta, C.J.
Hon. Prafulla C. Pant, J.

RAJEEV GUPTA, C.J. (Oral)

Mr. B.S. Adhikari, the learned counsel for the petitioner.

Mr. U.P.S. Negi, the learned Addl. Advocate General for respondent no.1.

None for respondent no.2.

Mr. V.K.Kohli, Senior Advocate with Mr. I.P. Kohli, Advocate for respondents 3 to 5.

2. On 24.12.2004, following order was passed in the writ petition:

> "Heard Sri P.S. Adhikari, Senior Advocate assisted by Sri B.S. Adhikari, learned counsel for the petitioner.
>
> This is a P.I.L. Having considered the allegations, it is directed that the petitioner shall furnish security to the tune of Rs. 50,000/- (Rupees fifty Thousand only) before the Registrar General of the Court to his satisfaction.
>
> Put up in the week commending 7.2.2005."

3. On the modification application filed by the petitioner, following order was passed on 31.03.2005:

> " Heard Sri B.S. Adhikari, learned counsel for the applicant-petitioner and Sri V.K. Kohli, learned Senior Advocate for the respondents.
>
> We do not see any merit in the modification application and, therefore, the same is dismissed."

4. Admittedly, the petitioner has not furnished security to the tune of Rs. 50,000/- as was directed vide order dated 24.12.2004.

5. In this view of the matter, we are left with no other option but to dismiss the writ petition for non-compliance of the order dated 24.12.2004.

6. The writ petition, therefore, is dismissed.

(Prafulla C. Pant, J.)
16.05.2006

(Rajeev Gupta, C.J.)
16.05.2006

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